

IN THE UNITED STATES BANKRUPTCY COURT, DISTRICT OF PUERTO RICO

IN RE: JOSE ANTONIO RODRIGUEZ CERVERA
NANETTE JUDITH GARCIA APONTE

Bkrcy. No. 11-04522-MCF

Chapter 13

STANDING CHAPTER 13 TRUSTEE §341 MEETING MINUTES
AND REPORT ON CONFIRMATION

Petition Filing Date: <u>May 31, 2011</u>	Meeting Date: <u>Oct 04, 2011</u>	DC Track No. <u>17</u>						
Days from petition date: <u>126</u>	Meeting Time: <u>2:00 PM</u>							
910 Days before Petition: <u>12/2/2008</u>	<input type="checkbox"/> Chapter 13 Plan Date: <u>Jul 06, 2011 Dkt.# 23</u>	<input type="checkbox"/> Amended.						
This is debtor(s) <u>2nd</u> Bankruptcy petition.	Plan Base: <u>\$29,700.00</u>							
This is the <u> </u> Scheduled Meeting	Confirmation Hearing Date: <u>Nov 04, 2011</u>	Time: <u>1:30 PM</u>						
Payment(s) <input type="checkbox"/> Received or <input type="checkbox"/> Evidence shown at meeting:	<table border="1"> <thead> <tr> <th>Ck/MO No.</th> <th>Date</th> <th>Amount</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Ck/MO No.	Date	Amount				Total Paid In: <u>\$1,035.00</u>
Ck/MO No.	Date	Amount						

I. <u>Appearances:</u>			<input type="checkbox"/> Telephone	<input type="checkbox"/> Video Conference	<input type="checkbox"/> Creditor(s) present: <input checked="" type="checkbox"/> None.
<input checked="" type="checkbox"/> Debtor Present	<input checked="" type="checkbox"/> ID & Soc. OK	<input type="checkbox"/> Debtor Absent			
<input checked="" type="checkbox"/> Joint Debtor Present	<input checked="" type="checkbox"/> ID & Soc. OK	<input type="checkbox"/> Joint Debtor Absent			
Debtor(s) was/were <input checked="" type="checkbox"/> Examined	<input type="checkbox"/> Not Examined under oath.				
Attorney for Debtor(s) <input checked="" type="checkbox"/> Present	<input type="checkbox"/> Not Present				
<input type="checkbox"/> Substitute attorney: <u>Arle Henning, Esq.</u>	<input type="checkbox"/> Pro-se.				

II. Attorneys Fees as per R 2016(b) Statement		Attorney of record: <u>MARILYN VALDES ORTEGA*</u>
Total Agreed: <u>\$3,000.00</u>	Paid Pre-Petition: <u>\$355.00</u>	Outstanding: <u>\$2,645.00</u> THROUGH THE PLAN

III. Trustee's will file Motion to Dismiss:	<input type="checkbox"/> For Failure to appear;	<input type="checkbox"/> For Failure to commence payments.
---	---	--

IV. Trustee's Report on Confirmation & Status of §341 Meeting		
Debtor(s) Income is (are)	<input type="checkbox"/> Under <input checked="" type="checkbox"/> Above Median Income.	Liquidation Value: <u> </u>
Commitment Period is	<input type="checkbox"/> 36 <input checked="" type="checkbox"/> 60 months. [§1325(b)(1)(B)]	Gen. Unsecured Pool: <u> </u>
The Trustee <input type="checkbox"/> RECOMMENDS <input checked="" type="checkbox"/> OBJECTS <u>Plan confirmation.</u>		
§341 Meeting <input type="checkbox"/> CONTINUED <input type="checkbox"/> NOT HELD <input checked="" type="checkbox"/> CLOSED <input type="checkbox"/> HELD OPEN FOR <u> </u> DAYS		
§341 Meeting Rescheduled for: <u> </u>		

V. Trustee's OBJECTIONS to Confirmation:			
<input type="checkbox"/> FEASIBILITY [§1325(a)(6)]	<input checked="" type="checkbox"/> INSUFFICIENTLY FUNDED	<input type="checkbox"/> To pay \$507	<input type="checkbox"/> Fails Creditor's Best Interest Test §1325(A)(4)
<input type="checkbox"/> FAILS DISPOSABLE INCOME REQUIREMENTS	<input type="checkbox"/> Failure to comply with Tax returns requirements. [§1308]		
<input type="checkbox"/> Failure to comply with DSO requirements	<input type="checkbox"/> Plan not filed in Good Faith §1325(a)(3)	<input type="checkbox"/> Unfair Discrimination §1322(a)(3)	

ADDITIONAL OBJECTIONS / COMMENTS:
<u>Retirement loan mature on August 2012.</u>
<u>The plan needs a minimum base of approximately \$38,495.00.</u>

/s/ José R. Carrión
TrusteeM. J. [Signature]
Presiding OfficerPage 1 of 1

Date: Oct 04, 2011